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2	ROBERT M. CARLIN Assistant Federal Public Defender
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6	Counsel for Defendant JOSE RUIZ
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9	IN THE UNITED STATES DISTRICT COURT
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA
11	SAN JOSE DIVISION
12)
13	UNITED STATES OF AMERICA,) No. CR 11-00899-DLJ)
14	Plaintiff,) STIPULATION TO CONTINUE) SENTENCING HEARING; []
15	vs.) ORDER
	JOSE RUIZ,
16	Defendant.
17 18	Plaintiff United States of America, by and through Special Assistant United States
19	Attorney Casey O'Neill, and Defendant JOSE RUIZ ("Mr. Ruiz"), by and through his attorney of
20	record, Assistant Federal Public Defender Robert Carlin, hereby stipulate that the sentencing
21	hearing in this case should be continued to July 18, 2013, at 10:00 a.m.
22	1. On December 7, 2011, Mr. Ruiz was charged in a single count indictment with a
23	violation of 8 U.S.C. § 1326 (a) and (b).
24	2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the
25	offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty
26	before this Honorable Court. The sentencing hearing was scheduled for June 27, 2013. STIPULATION TO CONTINUE SENTENCING HEARING; [] ORDER No. CR 11-00899-DLJ 1

1 3. Mr. Ruiz's sentencing hearing was scheduled for June 27, 2013, though he requested a 2 continuance for personal reasons, which the government did not oppose and the Court granted. 3 Counsels have conferred and July 18, 2013 is a mutually agreeable date. 4 4. Accordingly, the parties respectfully request that the sentencing hearing be continued to July 18, 2013, at 10:00 a.m. 5 6 IT IS SO STIPULATED. 7 Respectfully submitted, 8 STEVEN G. KALAR Federal Public Defender 9 /s/10 ROBERT M. CARLIN 11 Dated: July 2, 2013 Assistant Federal Public Defender 12 13 UNITED STATES ATTORNEY 14 /s/15 Dated: July 2, 2013 CASEY O'NEILL 16 Special Assistant United States Attorney 17 18 19 20 21 22 23 24 25 26 STIPULATION TO CONTINUE SENTENCING HEARING; [] ORDER 2 No. CR 11-00899-DLJ

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1 2 3 4 5 6 7	STEVEN G. KALAR Federal Public Defender ROBERT M. CARLIN Assistant Federal Public Defender 160 West Santa Clara Street, Suite 575 San Jose, CA 95113 Telephone: (408) 291-7753 E-mail: robert_carlin@fd.org Counsel for Defendant JOSE RUIZ
8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA
10	SAN JOSE DIVISION
11 12 13	UNITED STATES OF AMERICA, Plaintiff, Plaintiff, STIPULATION TO CONTINUE vs. SENTENCING HEARING
14	JOSE RUIZ)
15 16	Defendant.)
17	1. On December 7, 2011, Mr. Ruiz was charged in a single count indictment with a
18	violation of 8 U.S.C. § 1326 (a) and (b).
19	2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the
20	offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty
21	before this Court. The sentencing hearing was scheduled for June 27, 2013.
22	3. Counsel visited Mr. Ruiz on June 26, 2013, planning to discuss the sentencing hearing
23	that was scheduled for the next day. Mr. Ruiz related that he had recently learnt that two of his
24	uncles had been murdered in El Salvador within the preceding two weeks. Utterly disconsolate
25	and barely able to speak, Mr. Ruiz said that he could not face a sentencing hearing and asked
26	whether it could be continued to allow him time to grieve. STIPULATION TO CONTINUE SENTENCING HEARING; [] ORDER No. CR 11-00899-DLJ 3

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1	4. For the above stated reasons, the sentencing hearing shall be continued to July 18,
2	2013, at 10:00 a.m.
3	IT IS SO ORDERED.
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5	Dated: Ü₩€₩H
6	HON. D. LOWELL JENSEN United States District Judge
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STIPULATION TO CONTINUE SENTENCING HEARING; [] ORDER No. CR 11-00899-DLJ